

**Re: Drexler – Z2015074 – Rezone Rural-43 to C-2 General Commercial
Laveen Planning Committee
Meeting 12/07/2015**

The following motion was approved at the December 07, 2015 meeting of the Laveen Planning Committee, regarding Case # Z2015074, the proposed rezoning of the NWC of 61st Dr. and Baseline Rd.

1. *That all buildings will be limited to a single story.*
2. That there will be no residential development.
3. That there will be no north or west side access.
4. There will be 30' plus generous landscape buffers between residential and commercial.
5. There will be no lighted signage facing west on the building.
6. There shall be sound screen walls between development and residential, to the west and north.
7. That access on Baseline Rd. needs to be free, with wide drives for left, & right, turns out of the site, with left & right turn lanes into the site.
8. That detailed site plan, landscape plan, sign plan (including billboards), light plan and building elevations, be returned to the LPC for review and comment, prior to approval by any governmental agency.

Z2015075

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Laveen Planning Committee & Laveen Citizens for Responsible Development Meeting Minutes - December 07, 2015

Meeting Details:

- LPC/LCRD Meeting – Monday, December 07, 2015
- Held at the Laveen Education Center, Building A, 5001 W. Dobbins Rd. Laveen AZ 85339 at 7:00 PM.
- Board Member Status

Lori Gonzales	Present	Jon Kimoto	Present
Sandy Hamilton	Present	Steven Klein	Present
Phil Hertel	Present	Bonny Ray	Present

LPC Meeting:

Agenda Item:

1. Meeting was called to order at 7:02 PM by Chairman Klein.
2. Minutes from the December 04, 2015 meeting were reviewed. Phil made a motion to accept the minutes as presented. John seconded the motion and the motion carried.
3. Case # Z2015074
 - Presented by Ashley Zimmerman and Jacob Zonn of Tiffany and Bosco.
 - Located at the NWC of 61st Dr. and Baseline Rd.
 - Current zoning is R-43.
 - Proposed rezoning is C-2.
 - The property is approximately 12.75 acres.
 - Properties on the opposite side of the proposed Loop 202 are currently zoned C-2.
 - Properties to the south of the proposed rezoning are currently zoned C-2.
 - Properties to the west and north of the proposed rezoning, are currently zoned R-43.
 - There is currently no user for this property and therefore no site plan. Once there is a user, this case will return with a site plan.

LPC BOARD MEMBERS COMMENTS/APPLICANTS RESPONSE:

Phil: Asked for clarification on the current zoning of the adjacent properties and why there was no site plan. Ms. Zimmerman pointed out where the C-2 and R-43 zoning was and stated that without a user, it made no sense to develop a site plan.

Phil: Asked about access to the property. Ms. Zimmerman responded that it is off of the Baseline Rd. right of way, right turn Ingress/egress.

Phil: Stated that if this zoning request were to be approved, it would require restrictive stipulations and a return presentation.

Phil: Asked how the process would work through the county. Mr. Zonn responded that they would be open to stipulations similar to those used in City of Phoenix cases.

Sandy: Wanted to know if there were any stipulations restricting use. Ms. Zimmerman answered that without a user, the process was not that far along. Some possible uses included a QuickTrip, CVS, Walgreens, etc..

Lori: Asked for Clarification of the properties relationship to the actual residential dwellings surrounding it. Ms. Zimmerman pointed out the homes actual locations on the residential properties.

Jon: Was concerned about approving a blank check. Stated that stipulations had to be made to protect the surrounding community, including: A.) A 30' landscape setback with a double row of trees as a buffer. B.) A 6' to 8' masonry wall.

Jon: Asked if the ADOT alignment was final. Mr. Zonn answered that the alignment was set. He added that the interchange was not set and that this could force changes.

Jon: Wanted to know if the county standards for the right of way were finalized. Mr. Zonn answered that they were not.

Jon: Asked if ADOT would be open to ingress/egress off of the off ramp. Ms. Zimmerman said that ADOT has no plans for this. Mr. Zonn added that if ADOT were to allow it, the applicant would be open to this.

Steven: Was concerned about approving a blank check and the impact this would have on the properties to the west and northwest. Stated that these are 1 to 5 acre parcels and would require a buffer of 30 to 50 feet. Feels that a transition from R-43 to C-2 plus, is too abrupt and would like to see a softer use. Added that everyone concerned should remain cognizant of what is west and northwest of the property in question. Mr. Zonn asked what type of use would be acceptable. Steven replied that a C-1 zoning would be better.....possibly a higher end hotel may be more in keeping with the residential properties. He added that this is something we have to work on.

Steven: Reminded the applicants of the Baseline Corridor Standards.

PUBLIC COMMENTS/BOARD MEMBERS, APPLICANTS RESPONSE:

Linda Becker: Asked if this case were to be approved, could they build anything that they wanted to build. Laveen isn't urban and she does not want to lose the rural feel. Mr. Zonn replied that they are aware of this and will work with the committee to create aesthetic buffers. Sandy asked what could be built under a C-1 and a C-2 zoning. Mr. Zonn answered that C-1 zoning could include restaurants and offices, a C-2 zoning could include mini storage and fuel stations. Ms. Zimmerman added that anything that would be allowed in a C-1 zoning, would be allowed in a C-2 zoning.

Linda: Wanted to know if the community could still say no to a proposed use. Steven answered that we could not object to a specific use or user but we could craft stipulations to adhere to developmental standards. Phil added that when we approve something, anything that can be done by category; can be done by right. We cannot stipulate to user. The county can also modify any stipulations at a later date. We can put a noose on the project to retain some control, such as having the applicant return to the LPC. We have to craft stipulations that will hold up through the process. Jon added that with existing zoning or with other categories, such as schools or religious facilities, by state statute, there is no planning and development input. With this process, we do have some input.

John Mockus: Asked if the existing C-2 zoning in the area bordered residential properties. Mr. Zonn said the parcel at 63rd and the freeway was C-2 with residential to the south.

John: Asked if the impacted residents had been notified. Mr. Zonn said that they had been.
John: Asked if the owner was selling and wondered if it would not be easier to request a C-1 zoning. Mr. Zonn answered that the owner was selling and that a C-1 zoning would put him at a disadvantage.

Claudine Reifschneider: Asked if the zoning would revert back, if the freeway was not built. Mr. Zonn said that it would not revert back but the marketing of the property would change.

Claudine: Asked if the property would ever be annexed into The City of Phoenix. Ms. Zimmerman said that it would eventually be annexed. Once development started, connections to sewer and water would be needed.

- MOTION: Phil made the following motion to support:
 1. That all buildings will be limited to a single story.
 2. That there will be no residential development.
 3. That there will be no north or west side access.
 4. There will be 30' plus generous landscape buffers between residential and commercial.
 5. There will be no lighted signage facing west on the building.
 6. There shall be sound screen walls between development and residential, to the west and north.
 7. That access on Baseline Rd. needs to be free, with wide drives for left, & right, turns out of the site, with left and right turn lanes into the sight.
 8. That detailed site plan, landscape plan, sign plan, (including billboards), light plan and building elevations, be returned to the LPC for review and comment, prior to approval by any governmental agency.

LORD BOARD MEMEBERS DISCUSSION:

- Steven: Has concerns about the right in, right out, forcing exiting drivers to go to 67th Ave.. Mr. Zonn replied that this is controlled by ADOT.
- Jon: Requested that the applicant return for a review of any potential billboards and/or telecom towers.
- Steven: Stated that there should be an overlay for Laveen, prohibiting any billboards. He added that C-2 allows posters not billboards. Ms. Zimmerman replied that billboard companies do not see this parcel as desirable.
- Jon: Stated that east of the freeway, there is a large master planned development that is commercial but does not impact the residential near it. This is a commercial project in a residential area. Mr. Zonn replied that the point of the project was to not have single family homes along the freeway.
- Sandy: Said that a restriction on the number of stories allowed, is needed, as well as a height restriction. Mr. Zonn answered that 30' is the maximum height allowed.
- Steven: Stated that there can be no blank check. Stipulations must address issues that the community is most uncomfortable with. He added that the county does not have to accept our recommendations.

Jon seconded the motion. The motion carried with a vote of 4 voting to approve and 2 opposing.

4. Open Floor for Updates/Discussion:

- No Items were brought forward.

5. Call to the Public:

- No Items were brought forward.

6. Next Meeting: Monday January 04, 2016, Agenda Items/Topics.

- No items were brought forward.

7. Phil made a motion to adjourn. Jon seconded the motion. The motion carried and the meeting was adjourned by Chairman Klein at 8:00 PM.

LCRD Meeting:

Agenda

Item:

1. The meeting was called to order by Chairman Klein at 8:01 PM.

2. Minutes from the November 02, 2015 meeting were reviewed and the following corrections were brought forward.

Phil: Page 3, paragraph 2, line 5 – "application" should read applicant.

Bonny made a motion to accept the minutes as corrected. Jon seconded the motion and the motion carried.

3. Junes Skies:

- Presented by Bill Allison of Gallagher & Kennedy, Carol Grumley of Beazer Homes and Dave Coble.
- Location: East of 51st Ave. north of Vineyard.
- A zoning case has been filed.
- 148 total lots
- Density = 3.79 d.u./acre.
- Allowed density is 4.5 to 5.5 d.u./acre
- 53rd Ave. comes through the project.
- 57th Ave. comes to a "T" at St. Catherine
- Landscaping at entry will have medium height, tan ranch rail fencing.
- There will be 15% open space.
- The trail at 53rd Ave. will have benches placed periodically.
- View fencing will be 4' view/2' block or 2' view/4' block.
- Varied height, sculptural plants will be used throughout.
- Homeowners with backyard on common areas will have the option to have rear gates, allowing access to paths.
- Ramada area will have 4 tables, monuments with planters and a Tot Lot.
- On November 18th, 2015 a community meeting was held. Four people attended this meeting. Concerns included the possibility of apartments or big box retail being built on this property.

LCRD BOARD MEMBERS COMMENTS/APPLICANTS RESPONSE:

Phil: Stated that this is a well thought out project that fits the area.

Bonny: Wanted to know the lot sizes. Mr. Allison answered that the lot sizes were approximately 50' by 115'. Overall they are larger than the lots in the communities to the north and south.

Bonny: Stated that the homes elevations were plain. Mr. Allison replied that the elevations were still being tweaked.

Bonny: Asked what kind of trees and shrubs were going to be used. Mr. Coble listed the trees a